



26874

PATENT TRADEMARK OFFICE
Atty. Docket: 91885/04797021761
#5/B
11/29/02**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: David E. Babiarz, : Paper No:
Ronald T. Cappadocia and
William E. Lundgren, Jr.

Serial No. 09/802,631 : Group Art Unit: 1761

Filed: March 8, 2001 : Examiner: Robert A. Madsen

For: TACKED COILED FOOD PRODUCTS AND METHODS OF FABRICATING

AMENDMENT

The Assistant Commissioner For Patents
Washington, D.C. 20231

RECEIVED

NOV 21 2002

TC 1700

Dear Sir:

In response to the Office Action, dated August 28, 2002, relating to the above-captioned patent application, please consider the following amendments and the accompanying remarks.

Please amend the claims as follows:

Cab 701 *71* Claim 1 (amended) An item comprising:

B1 a food strip selected from fruit-based materials and candy materials, having an outer surface and a length defined by a leading end and a trailing end, the strip being rolled around the leading end into a roll having multiple rotations to define two or more layers lying in contact with each other; and

a tacked region on the strip about the trailing end that attaches two of the layers together, said tacked region attached by application of pressure or application of heat to said rolled food strip.

71 *B2* Claim 7 (amended) An article of manufacture comprising a substantially spirally wound strip of pliable food material, said material selected from fruit-based materials and candy materials, having an end portion attached to another portion of the strip proximate to the end